

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37224 of 2015

Arising Out of PS.Case No. -83 Year- 2011 Thana -AURANGABAD TOWN District-
AURANGABAD

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Surendra Mishra @ Surendra Kumar Mishra, son of Mahesh Mishra, aged about 55 years, resident of village- Rudrapur, Police Station- Andhra Thadhi, District- Madhubani, at present residing at Street No. 136/K, Hospital Road, Police Station- Uttarpara, District- Hugli, (West Bengal).

..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar
For the Opposite Party/s : Mr. T.P.Mandal (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 21-12-2015 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioner, who is the Director of OCPL, apprehends his arrest in connection with Aurangabad Town P.S. Case No. 83 of 2011 registered for the offences punishable under Sections 406, 467, 468, 120B of the Indian Penal Code.

The allegation against the petitioner is that the agent of the petitioner had taken Rs. 20,000/- from the complainant in the year 2008. The further allegation is that the agent deposited only one installment in the name of his wife but subsequently, installment was not deposited.



Learned counsel for the petitioner submits that several cases have been lodged against the petitioner for the same set of allegations. Learned counsel for the petitioner further submits that in the cases, which are of similar nature, registered one after the another by different investors, the petitioner has been extended the privilege of pre arrest bail by different Benches of this Court including the present Bench. The allegation in the present FIR is also similar and therefore, he may be extended the same privilege.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad in connection with Aurangabad Town P.S. Case No. 83 of 2011, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

However, it is made clear that petitioner shall cooperate at all stages in the trial and make himself personally present on each date so that the case may reach to its logical conclusion. In case, petitioner does not cooperate in the trial and makes himself

absent on two consecutive dates, it shall be open for the Court to
take appropriate action in accordance with law.

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(Anjana Mishra, J)